Numb. 142.

THE South-Carolina Gazette.

Containing the freſheſt Advices Forein and Domeſtick.

From Saturday, October 9, to Saturday, October 16, 1736.

Edinburgh, June 15.

WE ſee here the Informations given into the High Court of Juſticiary in the Criminal Proceſs againſt Capt. Porteus, whoſe Trial is to be reſumed To-morrow. The Charge againſt that Pannel is, the Murdering, Slaughtering, Maiming, and Wounding diverſe of his Majeſty's Subjects, by firing with his own Hand, and cauſing a Band of armed Men under his Command, to fire upon a Multitude of innocent People lawfully aſſembled, without juſt Cauſe or Provocation, contrary not only to the Laws of God and Nature, the Laws of this and all other well-governed Realms, but alſo contary to the expreſs Duty of that his Office, he being one of the City Guard, who were appointed to preſerve the Peace of the City, and to protect the Inhabitants thereof from all Violence.

Among the Defences offered for the Pannel are theſe, That he was ordered to attend the Execution of Andrew Wilſon with the greateſt Part of the City Guard, and to ſupport the Executioner in the Diſcharge of his Office, and the Magiſtrates apprehending a violent Attempt to reſcue the ſaid Wilſon, he had Directions given him to repel Force by Force; that to make theſe Directions effectual Powder and Ball were delivered out of the Town's Magazine to the Guard the Morning of the Execution, with Directions to load their Pieces; that the Pannel with the Town Guard accordingly attended the Execution; that when the Offender was hung up on the Gibbet, the Magiſtrates retired from the Scaffold, and repaired to a Houſe over-againſt it in Graſs-Market; that after the Offender had hung for ſome Time, the Multitude became unruly, and began to fling Stones of great Size, and with great Violence; that ſome of the Guard were thereby hurt, one had his Shoulder Blade broke, others were bruiſed, and the Timber of the Drum was beat to Pieces; that the Inſolence of the Mob growing ſtill greater, and they preſſing from all Sides upon the Guard, the Pannel, who apprehended they might have intended to carry off the Criminal, who by this Time was cut down, in order to attempt the recovering him to Life, found it neceſſary to keep off the Multitude by Threats and Menaces; that to this End he preſented his Piece, firſt to one Quarter, and then to another, calling to the People to ſtand off, and threatning, that if they did not, he would fire; but on the contrary, when ſome of the Guard, provoked by the Hurts they received, had, without his Orders or Authority, preſumed to fire, whoſe Example was followed by ſeveral others, he did all he could to prevent the Miſchief, by commanding them to deſiſt, and actually beat down the Muzzle of one of the Men's Pieces, who was preſenting it in order to fire; that finding he could not be obeyed, he marched with thoſe that followed him up the Weſt Bow, where they, provoked by what he did not know, faced about and fired towards the Graſs-Market; that his firſt Notice thereof was by hearing it, which made him turn about to prevent it; that at this Place he neither fired, nor gave Orders to fire; that he marched as many of his Men as he could gather together back to the City Guard Room, where he prevented the Men's cleaning their Pieces, that the Guilty who fired, might be diſtinguiſhed from the Innocent who did not fire, that his own Piece had not at that Time been at all fired; that conſcious of his own Innocence, he preſented himſelf before the Magiſtrates, whereas nothing was more eaſier for him than to have made his Eſcape, and that in their Preſence the Firelock that was in his own Hand was only preſented, and that therefore the Libel, as libelled, could not be true.

That the delivering Powder and Ball to the City Guard, and the Direction to the Pannel, to ſupport the Execution of the Sentence againſt Wilſon, and in caſe of a violent Reſcue, to repel Force by Force, amounted to a flat

Order

Order from the Magiſtrates to fire when it became neceſſary, and that the violent Aſſault by the Mob with Stones, in order, as the Pannel believed, to carry off the Offender, in hopes of recovering him to Life, made it neceſſary to repel Force by Force; which ought to be ſuſtained as a total Defence againſt the Indictment, at leaſt as Circumſtances ſit to mitigate the Puniſhment, and reſtrain it from the *pœna ordinaria*, ſince the Pannel being *verſans in licito*, and engaged in the Diſcharge of a lawful Piece of Duty, if any Exceſs was committed by him, it ought not to be attended with capital Puniſhment, but ought to be corrected *extra ordinem*, according to the Degree of the Exceſs.

To this it was anſwered, that tho' it were true that the Magiſtrates upon juſt Apprehenſion of a violent Reſcue of the Criminal, had ordered Powder and Ball to be diſtributed to the Guard, had directed the Pannel at all Hazards to ſupport the Execution, and prevent a violent Reſcue; and had even told him, in caſe of Neceſſity, he was to repel Force by Force, it will not in the leaſt follow, that theſe Orders could, in any Degree, juſtify him, except in caſe of Neceſſity, and an Attempt made towards a violent Reſcue, that no Order from any Civil Magiſtrate whatever, could juſtify ſo horrid a Barbarity, and that tho' the Magiſtrates had ordered him on the Spot to fire upon innocent People, it could not in the leaſt acquit him, ſince he was not at all bound to obey ſuch illegal Orders; that the Pannel does not pretend he had any Orders to fire, except in the Caſe of a violent Attempt to reſcue, and had that happen'd, the Reading the Proclamation would have made it juſtifiable; that it is not even denied by the Pannel, that the Execution was over before the Firing; that the Truſt repoſed in him, and the Duty expected from him was ceaſed; he was no longer an Officer employed to that End for which the Fire Arms were loaded; and his Actions came then to be eſtimated of, by the ſame Rules that would have made them lawful or unlawful upon every ordinary Occaſion; that tho' the flinging of Dirt and Stones at the Executioner, might perhaps juſtify a cholerick Perſon for drubbing any of the Actors for their Wantonneſs, yet it could not juſtify the ſlaughtering of them, far leſs could the Impertinence of a few Boys, or other idle People, excuſe the Firing ſhorp Shot upon an innocent Multitude; that 'tis far from being the Intereſt of the Crown or the Publick, that an innocent Man ſhould ſuffer, but 'tis greatly the Intereſt of both, that a fair and ſtrict Enquiry be made where the Guilt lies, when a Maſſacre ſo cruel and dangerous happens, that the Guilty may be made an Example of, to reſtrain others to commit the like in Time coming, &c. that therefore the Pannel muſt ſtand or fall upon his being or not being Guilty of the Facts charged upon him in the Indictment.

Upwards of 100 Witneſſes are ſummoned to the Pannel's Exculpation.

LONDON, July 22.

They write from Oxfordſhire, that at a Place called Bull-Hook in Tingwick Field in that County, a large Tract of Earth, computed at leaſt to be about 6000 Loads, with a Hedge and ſeveral large Trees thereon, which are ſtill ſtanding, were carried by the Violence of the late Floods into the Middle of the River there, by which Means the Current of the ſaid River is entirely ſtopt, and the Water continually floating the Meadows and Fields for many Miles thereabouts. The Damage done thereby to the Corn, as well as Graſs and Hall, will amount to ſeveral thouſand Pounds.

We are informed that Yong Tchin, Emperor of China, died the 8th of October laſt at Pequin, the Capital of that Empire, in the 54th Year of his Age, and in the 13th Year of his Reign, he having been born in 1682, and having mounted the Throne in 1722.

July 24. The Engliſh and Dutch Ambaſſadors at Petersburg take no ſmall Pains to make up Matters between the Turks and Ruſſians; but neither of thoſe Powers ſeem inclinable to come to an Agreement; the Czarina being very earneſt to follow her Blow, and complete the Conqueſt of the Crimea; and the Grand Signior, incenſed to the laſt Degree on Account of the Defeat of the Tartars, evades declaring himſelf with regard to the Pretenſions of Ruſſia, and is determined to make Peace no otherwiſe than with Sword in Hand, as his Predeceſſor did at Pruth in the Time of the Czar Peter the Great: But the Turk can hardly put ſuch a Deſign in Execution, becauſe he can neither conclude a Peace with Kouli Kan, nor procure the Neutrality of the Emperor and the Venetians in the preſent Conjuncture, which will be neceſſary to make any Figure againſt the Czarina.

The Baſhaw of Choczim continues to aſſemble a great Number of Troops in the Neighbourhood of that City; but has not attempted to force the Ruſſian Lines; and 'tis manifeſt, that his Deſign is to be upon the Defenſive, becauſe Numbers of Men are Night and Day fortifying his Camp.

Sunday laſt her Majeſty received a Letter from James Oglethorpe, Eſq; at Georgia, with an Account, as we are informed, of the flouriſhing Condition of that Colony.

The Diet of Warſaw having maintained their Animoſities to the laſt Day they were to ſeparate, and even to the very Hour, King Auguſtus ſeemed to have loſt all Hopes of Succeſs from it; but on a ſudden a Serenity of Temper ſpread itſelf over the Aſſembly which the King's Miniſters improved, and got all their Buſineſs diſpatched. The Aſſembly ſat till Five in the Morning, his Majeſty continuing on the Throne the whole Time. The Reſolutions they came to were as follows: 'That the intended Amneſty 'extend only to ſuch Perſons as ſerved in the Crown Army, 'and committed Hoſtilities, by order of their Superiors, 'but that all others be left open to the Law; that all the 'Confederacies made during the Troubles, be annull'd; 'that the Crown Army be augmented, and proper Funds 'aſſigned to defray the Expence; that a Sum, amounting 'to about 20000 l. Sterling, be annually paid to her Majeſty, 'as was done to her Predeceſſors; and that ſhe have moreover a Sum of 2000 Ducats for Pin Money; that the 'Saxon Troops entirely quit Poland in 40 Days from the '9th of July; that on the Demiſe of the Duke of Courland, the States be at Liberty, as uſual, to chuſe a new 'Sovereign; and laſtly, that a good Intelligence be ſtrictly 'cultivated with the Emperor, the Czarina, and the Ottoman Porte.'

The Turkiſh Baſhaw who commanded in Aſoph, delivered General Lacy the Keys of that City in a Silver Baſon.

They write from Madrid of the 10th, that great Preparations were making in all the Ports of Spain for tranſporting Troops to Italy.

July 27. The Armament which the Spaniards have been ſome time making at Barcelona is at length declared to be intended for the Conqueſt of Corſica; and Embargoes are laid on all Ships in the Ports of Spain to ſerve as Tranſports on this Occaſion. No leſs than 90 are already laden, and lie ready to ſail. His Catholick Majeſty's Pretence for this Outrage upon the Genoeſe is, that the Republick ſuffer'd the Imperialiſts to ſeize in their Territories the Artillery belonging to the Houſe of Farneze, which the Spaniards were carrying away.

Private Letters from Madrid pretend, that his Catholick Majeſty having lately renewed his Thoughts of a favourite Deſign ſo much talk'd of, this Expedition to Corſica is adviſed with the like View as was that of Oran.

The new Convention between the Emperor and France being ratified, Preparations are begun for the actual Ceſſion of Lorrain to K. Staniſlaus, and Part of that Prince's Furniture is already on the Way thither.

Our Letters from Madrid aſſure, that at the Interpoſition of his Majeſty, the King of Spain has ſent Orders to the Indies to put a Stop to all Hoſtilities there.

They adviſe from Lisbon, that they look upon the Accommodation with Spain as good as concluded; that Admiral Norris continues in good Health at his Country Houſe at Belem, and entertains almoſt every Day ſome or other of the Portugueſe Nobility.

On Thurſday ſe'night in the Evening, Prince William of Heſſe took his Leave of his Majeſty at Herenhauſen, and ſet out the next Morning from thence for Caſſel, extremely well ſatisfied with the great Honours and Reſpect paid him during his ſtay at his Majeſty's Court.

They aſſure from Vienna, that the Emperor has apply'd to his Majeſty and the States-General, acquainting them with the Delays which the Spaniards make to evacuate Tuſcany, and by that Means retard the General Peace, and deſiring them to prevail with his Catholick Majeſty to perform his Part towards the Concluſion of ſo great a Work.

The Neighbourhood of the Imperialiſts, who are advanced to Lucca, having giving the Spaniſh General great Uneaſineſs, he has ordered a large Body of Troops to march

march on that Side of Tuſcany, declaring that he will oppoſe their Entrance with the utmoſt of his Force.

There are Letters in Town from Conſtantinople of the 22d of June, which mention, that the laſt depoſed Sultan, which the reigning Grand Signior always kept near his Perſon, and did nothing without his Advice, was dead of an Apoplectick Fit; that the Grand Signior was actually inconſolable for his Loſs, whilſt at the ſame time his Enemies, to encreaſe the People's Diſlike to his Government, reported every where that the deceaſed Sultan was poiſoned by his Orders.

'Tis Thought ſurprizing that none of the Letters from Conſtantinople mention any thing of the Earl of Kinnoul's Preparations to return to England.

They write from Genoa that the Right Hon the Earl of Eſſex, his Majeſty's Ambaſſador to the King of Sardinia, being come thither from Turin to paſs a few Days, the Principal Members of the Senate immediately waited on him, to communicate their great Uneaſineſs on account of the new Armament making by the King of Spain, and imploring his Majeſty's good Offices for preventing the ſame.

The Accounts from Saxony furniſh us with a terrible Inſtance of Divine Vengeance againſt Blaſphemers and Swearers

On the 3d Inſtant a young Man, after ſome Hours ſtay in a Publick Houſe at a Village near Saalfeld, fell into a Fit of Swearing, and being undoubtedly over-heated with Liquor, he ruſhed into the Street; and lifting up a Beer-glaſs towards the Sky, in very ſtormy Weather, he uttered ſuch Oaths & Blaſphemies as drew upon him the Wrath of Heaven; he was in an Inſtant ſtruck with a Thunder-bolt, and intirely reduced to Aſhes, or rather annihilated, excepting his Head and the Hand with which he held the Glaſs. This frightful Example ſo terrified his Companion, who ſwore in Concert with him, that he flew into the Houſe with the utmoſt Precipitation.

The Court of France has received a Courier from Vienna, which bring a Confirmation of the Duke of Lorraine's having ſigned the Treaty of Ceſſion of his States to France.

We have repeated Accounts from divers Parts of Europe, of furious Storms of Thunder, Lightning, Hail and Rain, from whence have enſued terrible Floods and Inundations, throwing down Houſes, tearing up Trees by the Roots, &c to the utter Ruin of Families, and the Loſs of Abundance of Lives.

Capt. Porteous, the Officer of the City Guards at Edinburgh, who was try'd here laſt Week for ordering his Men to fire amongſt the People on their being rude, and throwing Stones after the Execution of a Malefactor, by which Raſhneſs ſeveral were killed, and others wounded, is brought in by the Jury guilty of *Willful Murder*. The number of Jurymen in the Pannel was 15, 8 of whom were for the Verdict as brought in, and the other 7 faſt againſt it. The Capt has received Sentence of Death.

Yeſterday Reynolds, who was concerned with ſeveral others in pulling down Ledbury Turnpike, for which he was condemned at the King's Bench Bar, Weſtminſter, was executed at Tyburn, where having prayed and ſung Pſalms, was turned off, and being thought dead, was cut down by Jack Catch as uſual, who had procured a Hole to be dug at ſome Diſtance from the Gallows to bury him in; but juſt as they had put him into his Coffin, and were about to faſten it up, he thruſt back the Lid, and to the great Aſtoniſhment of the Spectators, clapt his Hands on the Sides of the Coffin in order to raiſe himſelf up. Some of the People in their firſt Surprize were for knocking him on the Head; but Jack Catch thinking that foul Play, inſiſted upon hanging him up again, when the Mob taking a different Turn, cry'd, Save his Life; and fell upon the poor Executioner (who ſtickled hard for fulfilling the Law) and beat him in a moſt miſerable Manner; they carried the Priſoner to a Houſe at Acton, where he was put to Bed; he vomited about three Pints of Blood, and 'twas once believed he would recover, but it was afterwards reported, that on giving him a Glaſs of Wine he died. The Sheriff's Officers believing the Priſoner dead were retired from the Place of Execution before he was cut down.

CHARLESTOWN.

On Thurſday laſt Week a Negro belonging to Mr. *The Buttler*, named *Abram*, received Sentence to be hang'd for feloniouſly aſſaulting and robbing Mr. *Swaine* on the High Road: There was another Negro with him in this Aſſault and Robbery, who is not yet taken, which has occaſioned the Execution to be deferr'd for ſome Time longer, and it is hoped that an Example of Juſtice in this Caſe will deter other Negroes from committing ſuch Inſolencies and Crimes for the future.

CUSTOM-HOUSE, Charleſtown,

Entred inwards.

Sloop Midnight, Tho: Barnes from N-York.
—— Sarah, John Jennings from Providence.

Entred out.

Ship Blandford, James Corniſh for Briſtol.
Scooner Oglethorpe, Edw. Azier for Jamaica.
Sloop Midnight, Thos Barnes for N-Carolina.

Clear'd for Departure.

Billander King George, Jacob Ayres to London.
Ship Princeſs Carolina, John Coe to London.
—— Ann, Sam. Gorton to Rhode Iſland

EXPORTED from this PLACE ſince *Nov. 1, 1735.*

Rice 52158 Barrels, & 1554 Baggs Pitch 10356, Tarr 1392, Turpentine 4977. Whereof 11014 Barrels and 1208 Bags of Rice to the Southward of *Cape Finiſterre.*

PRICES of the following GOODS.

Rice — 38 *s.* Tar per Bar. 30 *s.*
Pitch per Bar. 35 *s* 8*d* 39 Turpentine 10 *s.*
Indian Corn per B 15 *s.* Skins 20 *s.*

TO BE SOLD,

BY *Joſeph Wragg* & Comp on *Wedneſday* the 27th of this Inſtant *October*, a parcel of choice Negroes, imported in the Ship Speaker, Capt. *Henry Flower* Commander.

N B. *Extraordinary Encouragement will be given for ready Pay, or Payment this Crop.*

Notice is hereby given to the Members of St. *George's* Society, that on Saturday the 23d Inſtant, being Quarter Day, will be a Meeting of the ſaid Society at the Houſe of Mr. *Wm. Pinckney.*

By order of the Preſident,

October 14, 1736 JOHN BASSNETT, *Secr.*

Lately imported in the Ship *Blandford*, *James Corniſh* from *Briſtol* and the *Canaries*, and in the Scooner *Oglethorpe*, *Edward Azier* from *Bremen* and *Cowes*, and to be ſold by *Samuel Eveleigh*, a choice Parcel of *Madeira* and *Canary* Wines, the latter in quart or pint bottles (pure and unmixt as it came from the Grape. Oznabrigs of ſundry prices, ſtout and ſtrong Ticklenberghs fit for Sails, Lampblack in large and ſmall Barrels, good old Hock and Pirmont Water, Barr Iron, &c

Juſt imported and to be ſold by *John Burford*, in the Houſe where Mrs. *Flavel* formerly lived in *Broad-ſtreet*, a choice Parcel of *Madera* Wine, and ſundry ſorts of *European* Goods.

Strap'd from a Man belonging to Mr. *Hugh Evans* at the old Half way-houſe, going to *Gooſe Creek*, a ſmall brown Bay Mare, mark'd T R on the mounting Shoulder with a long Forelock on her Forehead, and had a Bridle and Sadle on her. Whoever brings the ſaid Mare, to the ſaid *Evans* in *Charleſtown*, ſhall have a 1. reward paid them by *Hugh Evans.*

STopt by Mr. *Janvier* Gold-ſmith in *Elliot's* ſtreet, a Gold Thimble, brought by a Mollatto Girl. The Owner deſcribing the Marks and Weight, paying the Charge of this Adverriſement may have it again

All Perſons indebted to *James Anderſon* deceaſed, living at North Ediſto, are deſired to pay their reſpective Debts to *Peter Faure* at *Orangeburgh* Guardian and Truſtee for the ſaid Eſtate. And all Perſons having any Demands on the ſaid Eſtate are deſired to bring in their Accounts, in order to be adjuſted.

A large dark Bay Gelding mark'd on the mounting Shoulder G. Whoever claims him paying the Charges may hear of him at the Crown-Inn by *Thomas Hanyes.*